

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

RYAN PFLIPSEN,
Plaintiff

vs.

NEW ECKHERT SQUARE, LTD,
d/b/a ECKHERT SQUARE,
Defendant.

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CIVIL ACTION
FILE NO. 5:21-CV-225-DAE

NOTICE OF SETTLEMENT

NOW COME, Plaintiff, RYAN PFLIPSEN and Defendant, NEW ECKHERT SQUARE, LTD, d/b/a ECKHERT SQUARE, and file this, their Notice of Settlement and would show the Court as follows:

1. Plaintiff and Defendant have entered into a Settlement Agreement and Release (“Agreement”) related to Plaintiff’s claims for alleged violations of Title III of the Americans with Disabilities Act of 1990, 42 U.S.C. § 12181, *et seq.* (the “ADA”), as amended.

2. Plaintiff and Defendant submit that the Agreement is, in all respects, a fair and reasonable resolution of bona fide disputes between Plaintiff and Defendant under the ADA. The Parties believe that the terms and conditions of this settlement are fair, reasonable, adequate, beneficial and in the best interests of all parties. The proposed Agreement was reached following the exchange of information, data and negotiations between the parties’ counsel. Given the strong likelihood that absent a settlement, this case would have proceeded to trial, a compromise of the claims prevents all parties from incurring the additional costs and delay associated with trial and appeal.

Dated: January 19, 2022

Respectfully submitted,

/s/ Dennis R. Kurz (with permission)

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**Attorneys for Defendant New Eckhert
Square, LTD, d/b/a Eckhert Square**

CERTIFICATE OF SERVICE

I hereby certify that the foregoing instrument was electronically filed with the Clerk of the United States District Court for the Western District of Texas, San Antonio Division, and that a true and correct copy of the foregoing instrument will be served upon all counsel of record pursuant to ECF as to Filing Users on this the **19th** day of **January, 2022**.

/s/ Erica E. Valladares

William W. Sommers

Erica E. Valladares

Natalie F. Wilson